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**FACSIMILE COVER SHEET****Examiner:** J. Weitach**Group:** 1632**Date:** March 11, 2002**Client Code:** 3028**Facsimile No.:** 703-746-5192**From:** Elizabeth W. Mata, Esq.

**Subject:** **Paper:** Copies of Information Disclosure Statement and Supplemental  
Information Disclosure Statement with PTO-1449 Forms

**Docket No.:** 3028.1000-000**Applicants:** Guy A. Rouleau and Bernard Brais**Serial No.:** 09/590,211**Filing Date:** June 8, 2000Number of pages including this cover sheet: 11Please confirm receipt of facsimile: Yes ☐ No ☐**Comments:**

As you requested, attached is the IDS filed on May 23, 2001. In order to ensure that you have all the information you need, also attached is a Supplemental IDS filed on July 9, 2001. Please do not hesitate to contact us should you require any further information.

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 D1:13/13WM/cmm  
 05/23/01

PATENT APPLICATION  
 DOCKET NO.:3028.1000-000

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Guy A. Ronleau and Bernard Brais

Application No.: 09/590,211

Group Art Unit: 1632

Filed: June 8, 2000

Examiner:

Title: SHORT GCG EXPANSIONS IN THE PAB II GENE FOR  
 OCULOPHARYNGEAL MUSCULAR DYSTROPHY AND DIAGNOSTIC  
 THEREOF

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on 5/23/01	<i>Christina M. McSweeney</i>
Date	Signature
Christina M. McSweeney	
Typed or printed name of person signing certificate	

## INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
 (First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
 (Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
 (After the 37 C.F.R. 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
 (filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
 Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

09/590,211

-2-

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ the enclosed English language abstract.
- ☐ Applicant requests that the following pending applications be considered:

Examiner's  
Initials

U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner\_\_\_\_\_  
Date

09/590,211

-3-

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: *5/23/01*

DOC ID NO. : 000MA\MI000MA\IM3 225974;1

PTO-1449 RHP/PA/CTD

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

May 23, 2001

(Use several sheets if necessary)

ATTORNEY DOCKET NO.  
3028.1000-000APPLICATION NO.  
09/590,211APPLICANT  
Guy A. Rouleau and Bernard BraisFILING DATE  
June 8, 2000GROUP  
1632

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
AA						
AB						

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
AG	WO98/31800	23 JUL 98	PCT			
AM	WO99/29896	17 JUN 99	PCT			
AN						
AO						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Akarsu, A.N., et al., "Genomic Structure of HOXD13 Gene: A Nine Polyalanine Duplication Causes Synpolydactyly in Two Unrelated Families," <i>Human Molecular Genetics</i> , 5(7): 945-952 (1996).
AS	Bienroth, S, et al., "Assembly of a Processive Messenger RNA Polyadenylation Complex," <i>The EMBO Journal</i> , 12(2): 585-594 (1993).
AT	Brais, B., et al., "Using the Full Power of Linkage Analysis in 11 French Canadian Families to Fine Map the Oculopharyngeal Muscular Dystrophy Gene," <i>Neuromuscular Disorder</i> 7(1):S70-S74 (1997).
AU	Brais, B, et al., "The Oculopharyngeal Muscular Dystrophy Locus Maps to the Region of the Cardiac $\alpha$ and $\beta$ Myosin Heavy Chain Genes on Chromosome 14q11.2-q13," <i>Human Molecular Genetics</i> , 4(3): 429-434 (1995).
AV	Davies, S.W., "Formation of Neuronal Intranuclear Inclusions Underlies the Neurological Dysfunction in Mice Transgenic for the HD Mutation," <i>Cell</i> , 90:537-548 (1997).
AW	DiFiglia, M, et al., "Aggregation of Huntingtin in Neuronal Intranuclear Inclusions and Dystrophic Neurites in Brain," <i>Science</i> , 277: 1990-1993 (1997).
AX	Evans, G.A, et al., "High Efficiency Vectors for Cosmid Microcloning and Genomic Analysis," <i>Gene</i> , 79:9-20 (1989).
AY	Forood, B., et al., "Formation of an Extremely Stable Polyalanine $\beta$ -Sheet Macromolecule," <i>Biochem. And Biophysical Res. Communications</i> , 211(1): 7-13 (1995).
AZ	Krause, S., et al., "Immunodetection of Poly(A) Binding Protein II in the Cell Nucleus," <i>Experimental Cell Res.</i> , 214: 75-82 (1994).

EXAMINER

DATE CONSIDERED

Sheet 2 of 3

PTO 14.9 PREVIOUS EDITION INFORMATION DISCLOSURE CITATION IN AN APPLICATION May 23, 2001 (Use several sheets if necessary)		ATTORNEY DOCKET NO. 3028.1000-000		APPLICATION NO. 09/590,211			
		APPLICANT Guy A. Rouleau and Bernard Brais					
		FILING DATE June 8, 2000		GROUP 1632			
U.S. PATENT DOCUMENTS							
EXAM- INER INITI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AR2	Mundlos, S., et al., "Mutations Involving the Transcription Factor CBFA1 Cause Cleidocranial Dysplasia," <i>Cell</i> , 89: 773-779 (1997).					
	AB2	Editorials, "DNA-Triplet Repeats and Neurologic Disease," <i>The New England Journal of Med.</i> , 335(16): 1222-1224 (1996).					
	AT2	Scherzinger, E., et al, "Huntingtin-Encoded Polyglutamine Expansions Form Amyloid-Like Protein Aggregates In Vitro and In Vivo," <i>Cell</i> 90: 549-558 (1997).					
	AD2	Tome, M.S., et al., "Nuclear Inclusions in Oculopharyngeal Dystrophy," <i>Act Neuropathol.</i> 49: 85-87 (1980).					
	AV2	Muragaki, Y., et al., "Polyalanine Expansion in Synpolydactyly Might Result from Unequal Crossing-Over of HOXD13," <i>Science</i> 275: 406					
	AW2	Wells, R.D., "Molecular Basis of Genetic Instability of Triplet Repeats," <i>The Journal of Biological Chem.</i> 271(6): 2875-2878 (1996).					
	AX2	Wahle, E., et al., "Mammalian Poly(A)-Binding Protein II," <i>J. of Biological Chem.</i> , 268(4): 2937-2945 (1993).					
	AY2	Wahle H., "A Novel Poly(A)-Binding Protein Acts As a Specificity Factor in the Second Phase of Messenger RNA Polyadenylation," <i>Cell</i> , 66: 759-768 (1991).					
	AZ2	Nemeth, A., et al., "Isolation of Genomic and cDNA Clones Encoding Bovine Poly(A) Binding Protein II," <i>Nucleic Acids Res.</i> , 23(20): 4034-4041 (1995).					
	AR3	Riggins, G.J., et al. "Human Genes Containing Polymorphic Trinucleotide Repeats," <i>Nat Genet</i> , 2(3):186-191 (1992).					
	AS3	Brais, B., et al., "Short GCG Expansions in the PABP2 Gene Cause Oculopharyngeal Muscular Dystrophy," <i>Nature Genetics</i> 18: 164-167 (1998).					
EXAMINER				DATE CONSIDERED			

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